UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARTIN ANTONIO SOLOMON, Plaintiff, vs. **MICHIGAN DEPARTMENT OF CORRECTIONS, et al.,** Defendants.	**2:19-CV-12354-TGB-EAS** **ORDER ADOPTING REPORT AND RECOMMENDATION (ECF NO. 110)** **AND DISMISSING PLAINTIFF'S COMPLAINT (ECF NO. 1)**

This matter is before the Court on Magistrate Judge Elizabeth A. Stafford's September 29, 2022 Report and Recommendation ("R&R") recommending that pro se Plaintiff Martin Antonio Solomon's complaint be dismissed with prejudice. ECF No. 110. Specifically, Magistrate Judge Stafford recommended dismissal because Plaintiff failed "to follow the Court's order to file a proper amended complaint" and was warned that his failure to do so could result in dismissal with prejudice. ECF No. 110, PageID.2175; ECF No. 109, PageID.2168.

The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendation. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report,

the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149–52 (1985).

Here, the R&R was served by mail approximately ten weeks ago. Being mindful of the delays in receiving and responding to mail that are outside of an incarcerated plaintiff's control, the Court has allowed Plaintiff significant additional time to raise objections. But even with this additional time, Plaintiff has failed to raise any objections to the R&R.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Stafford's Report and Recommendation (ECF No. 110) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that the Plaintiff's complaint (ECF No. 1) is **DISMISSED with prejudice.**

IT IS SO ORDERED.

Dated: December 7, 2022   s/Terrence G. Berg

TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE